

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

NLG, LLC,

Debtor.

Chapter 7

Case No. 21-11269-JKS

**RESPONSE OF FOX ROTHSCHILD LLP TO MOTION TO CONVERT  
INVOLUNTARY CHAPTER 7 CASE TO VOLUNTARY CHAPTER 11 CASE**

Fox Rothschild LLP (“Fox”), holder of an administrative expense claim against the estate of NLG, LLC (the “Debtor”), files this response (the “Response”) to the *Motion to Convert Involuntary Chapter 7 Case to Voluntary Chapter 11 Case* (the “Motion”) [D.I. 71].

**RESPONSE**

1. On March 3, 2022, the Court entered an *Order Authorizing the Retention and Employment of Fox Rothschild LLP as Attorney to Alfred T. Giuliano, Chapter 7 Trustee, Pursuant to 11 U.S.C. §§ 327(a) and 328(a), Fed. R. Bankr. P. 2014, and Del. Bankr. L.R. 2014-1 Nunc Pro Tunc to January 7, 2022* (the “Fox Retention Order”).

2. Under the Fox Retention Order, the Court authorized Alfred T. Giuliano (the “Trustee”), the Chapter 7 Trustee, to retain Fox to perform legal services in connection with the Debtor’s bankruptcy case, effective as of January 7, 2022 (the “Fox Retention Date”).

3. On December 19, 2022, the Trustee filed a Report of No Distribution.

4. Since the Fox Retention Date, the estate has accrued an unliquidated amount of administrative expenses for Fox’s services in the approximate amount of \$190,000.00 (the “Administrative Expense Claim”).<sup>1</sup> As the Court knows, these fees were incurred in connection

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<sup>1</sup> For the avoidance of doubt, the estimated amount is for information purposes only, and Fox expressly reserves all rights in connection with the Administrative Expense Claim, including, but not limited to, the final amount of the Administrative Expense Claim.

with the Trustee's attempt to negotiate a complex settlement between the estate and certain third-party defendants that would bring value to the Debtor's estate and maximize recovery for its creditors.

5. Because the Trustee has marked this case as a "no-asset" case, and because the Trustee has requested that this Court discharge the Trustee from any further duties, Fox takes no formal position on the Motion. Instead, Fox files this Response to provide the Court with information that may be helpful in disposing of the Motion, particularly with respect to the requirement that, under the Bankruptcy Code, all administrative expense claims must be paid as of the effective date of any confirmed Chapter 11 plan.

6. To the extent the Motion is granted, Fox will seek final allowance of the Administrative Expense Claim through the appropriate pleadings and procedures.

Respectfully submitted,

**FOX ROTHSCHILD LLP**

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Dated: January 24, 2023

*Counsel for Alfred T. Giuliano,  
Chapter 7 Trustee for the estate of NLG, LLC*